

July 2005 Unified Program Newsletter

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California Environmental Protection Agency

Enforcement Initiative

Cal/EPA's Enforcement Initiative is aimed at improving enforcement while at the same time protecting our environment. More information about what the Enforcement Initiative is all about can be found in the following page: <http://www.calepa.ca.gov/enforcement/initiative/default.htm>

Team Leader and Initiative Task Information can be [found here](#).

Staff Arrival

On July 18, 2005, Kareem Taylor will join Cal/EPA's Unified Program as an Environmental Scientist working with local program evaluation and other areas. Kareem has a BS in Environmental Science and comes with multi-agency communication and coordination skills developed through his involvement in project management and environmental and geological research issues at excavation sites while in the telecommunications industry. He is married and has two beautiful children, Kasen, 6 and Kiana, 3. His primary hobbies include spending time with my family, fishing, camping, computer games, and reading. Kareem and his family are excited about him joining the state and working in his chosen field of study.

September 30th Deadline for Submittal of FY 04/05 Summary Reports

We want to remind CUPA managers that the September 30th deadline for submittal of FY 04/05 Summary Reports is fast approaching. The Single Fee Summary Report 2, Inspection Summary Report 3, and Enforcement Summary Report 4 are all due on that date. Data from these reports is used by State and Federal agencies for a variety of purposes including CUPA evaluations. We appreciate the effort that CUPA staff have made in past years to improve the timeliness and accuracy of these reports and look forward to timely receipt again this year. Any questions can be directed to Jim Bohon at (916) 327-5097.

AEO Hearing Decision

On Wednesday July 6, 2005 the Sacramento County CUPA received the decision by the State of California Administrative Law Judge regarding the appeal by Tuneup Masters Inc. of an administrative enforcement order issued by their Hazardous Materials Division (HMD). The original Order assessed a total of \$184,080 in penalties. HMD offered to settle the case for \$46,000 plus correction of all violations. Tuneup Masters Inc. rejected the settlement offer and requested a hearing as prescribed by the Health and Safety Code. The hearing was conducted on May 17th. In the final decision, Judge Amanda Behe rejected Tuneup Master's arguments and affirmed the full amount of the administrative penalty

(\$184,080). Her conclusion was that "a preponderance of evidence established cause for imposition of the total administrative penalty of \$184,080 for the violations at respondent's four locations".

Upcoming Steering Committee and Work Group meetings

Group	Meeting Date	Contact
Enforcement Steering Committee	July 19 & 20, 2005	Larry Matz / Bill Jones
Administrative Enforcement Order (AEO) Work Group	August 10, 2005	Dennis Karidis
Violation Classification Work Group	August 16, 2005	Dennis Karidis
UST Steering Committee	August 23, 2005	Liz Haven / Tim Casagrande
Regional UST TAGs (3 TAGs) by Region	August 23, 2005	Jim Bohon / Dan Firth
Data Management Steering Committee	August 23, 2005	Jim Bohon
Work Group on Information and Forms	July 26, 2005	Jim Bohon

One of the multi-county cases that prosecutors are working on.

AutoZone Accused of Dumping in California -- Attorney General Bill Lockyer, joined by three district attorneys, filed a \$12 million lawsuit against AutoZone, Inc. on June 22nd, that alleges the Memphis, Tennessee-based auto parts retailer has violated the state's hazardous waste disposal and storage laws at many of its 410 California stores. Joining Lockyer in filing the lawsuit in San Bernardino County Superior Court were the following district attorneys: Michael A. Ramos of San Bernardino County, Dean Flippo of Monterey County and James P. Willett of San Joaquin County. Additional information can be found at: <http://www.ag.ca.gov/newsalerts/2005/05-047.htm>

Governor's Office of Emergency Services

Business Plan FAQs

OES has developed a Frequently Asked Questions Fact Sheet about Business Plans. For more information, follow [this link](#).

State Water Resources Control Board

Reminders

- ~Untestable Secondary Containment Systems Must Be Replaced With Testable Secondary Containment Systems Deadline: July 1, 2005
- ~California UST Service Technician Certification Exam Requirement Deadline: July 1, 2005
- ~Deadline for Designated UST Operators to complete the initial training of facility employees: July 1, 2005
- ~California UST Inspector Certification Exam Requirement Deadline: September 1, 2005

New State Water Board Staff

We are pleased to announce two new UST Program staff: Joe Zarnoch who works in the UST Enforcement Unit, and Marci Christofferson who works in the UST Leak Prevention Regulatory Unit. Mr. Zarnoch has 15 years of experience in the environmental field, including working for the Sacramento County Environmental Management Department and managing the City of Oxnard CUPA Program. Ms. Christofferson has 21 years of experience in the environmental field, 19 years of which were in the Yuba County CUPA Program. Both Mr. Zarnoch and Mrs. Christofferson have extensive experience with the regulation, enforcement, and inspection of USTs. The plan is for these new staff to work frequently with CUPA staff in their new assignments. The State Water Board is fortunate to have the benefit of their extensive UST expertise as well as the local agency perspective they bring.

Interstitial Liquid Level Measurement (ILLM) Rulemaking

The State Water Board voted unanimously to make the existing emergency regulation defining ILLM a permanent part of Title 23. UST Program staff have completed the final rulemaking record and expect to send the rulemaking package to the Office of Administrative Law (OAL) the first week of July for review

with compliance of the Administrative Procedures Act. OAL has 30 working days to review the rulemaking record. If approved by OAL, the regulation will be filed with the Secretary of State and formally incorporated into Title 23.

UST Program Contact: Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873)

Effort to Update Regulations

The State Water Board's regulations are out of date. We are considering whether it still makes sense to allow leak detection via groundwater or vapor monitoring wells and statistical inventory reconciliation. The CUPA Forum Board UST Issue Coordinators and State Water Board staff are interested to hear the TAG's perspective on these issues. How many facilities still use these types of leak detection? How reliable are they? What would be the business impact if these methods were no longer allowed? We hope to hear your viewpoints on these issues during future TAG meetings.

UST Program Contact: Laura Chaddock (lchaddock@waterboards.ca.gov; 916-341-5870)

Continued Reporting of Piping Failure To Underwriters Laboratories Inc. (UL)

Please continue to report any problems with product piping degradation and/or failures bearing a UL mark directly to UL. You file a report complete the Consumer Product Report Form online at:

<https://www.ul.com/consumers/conproddb.cfm>. So that we can also track product piping failures and degradation, please also send a copy of the Consumer Product Report Form and any attachments to: Laura Chaddock, State Water Resources Control Board, Division of Water Quality, Groundwater Quality Branch, PO Box 2231, Sacramento, CA, 95812.

UST Program Contact: Laura Chaddock (lchaddock@waterboards.ca.gov; 916-341-5870)

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to cupa@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)